



JAN 31 2002

Attorney Docket No. 286579

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kiesewetter et al.

Application No. 09/646,651

Filed: January 16, 2001

Group Art Unit: 1646

Examiner: Unassigned

For: METAL-CONTAINING RIBONUCLEOTIDE  
POLYPEPTIDES

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents  
Washington, D.C. 20231

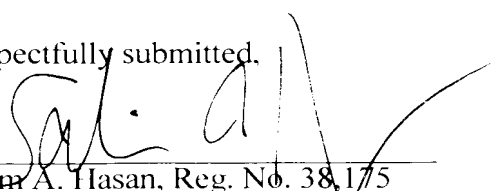
Dear Sir:

Applicants respectfully request that a corrected version of the filing receipt be issued for the above-identified application.

Particularly, Applicants request that the Official Filing Receipt reflect the proper title of the application, which is "METAL-CONTAINING RIBONUCLEOTIDE POLYPEPTIDES". In this respect, applicants submit herewith copies of the Transmittal Letter and the Preliminary Amendment filed with the application on September 13, 2000, as well as a copy of the accompanying postcard, which indicate the correct title. In addition, Applicants request that the proper number of claims be reflected on the filing receipt, specifically a total of 11 claims and 1 independent claim. Applicant again refers to the Transmittal Letter and Preliminary Amendment, both of which reflect the correct number of claims.

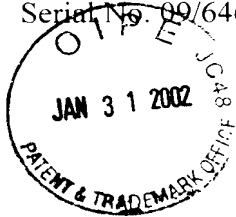
A copy of the Filing Receipt, with requested changes marked in red is enclosed.

Respectfully submitted,

By   
Salim A. Hasan, Reg. No. 38,175  
One of the Attorneys for Applicants  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600

Date: January 7, 2002

In re Appln. of Kiesewetter et al.  
Serial No. 09/646,651



CERTIFICATE OF MAILING

I hereby certify that this REQUEST FOR CORRECTED FILING RECEIPT  
(along with any documents referred to as being attached or enclosed) is being deposited  
with the United States Postal Service on the date shown below with sufficient postage as  
first class mail in an envelope addressed to: Assistant Commissioner for Patents,  
Washington, D.C. 20231.

Date: 1/7/02

Virginia Scheffle

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## UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 31 2002

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/646,651	11/16/2001	1646	970	206579	2	3	

CONFIRMATION NO. 2260

23460  
 LEYDIG VOIT & MAYER, LTD  
 TWO PRUDENTIAL PLAZA, SUITE 4900  
 180 NORTH STETSON AVENUE  
 CHICAGO, IL 60601-6780

## FILING RECEIPT



\*OC00000007074395\*

Date Mailed: 11/15/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Stefan Kiesewetter, Osterfeldern, GERMANY;  
 Eckehard Kuhn, Frickenhausen, GERMANY;  
 Bridgitte Koch-Pelster, Backnang, GERMANY;  
 Herwig Brunner, Stuttgart, GERMANY;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/EP98/07722 11/30/1998

## Foreign Applications

GERMANY 198 11 047.2 03/13/1998

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

## Title

Ribonucleotide polypeptides containing metal

LAH

## TRANSMITTAL LETTER TO THE UNITED STATES

JAN 31 2002

DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO.  
Unassigned

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/EP98/07552

30 November 1998

13 March 1998

TITLE OF INVENTION

METAL-CONTAINING RIBONUCLEOTIDE POLYPEPTIDES

APPLICANT(S) FOR DO/EO/US

Kiesewetter et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) now rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendment to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A copy or translation of the Amendments made by the Applicant during PCT Chapter II, which are attached as Annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 17 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment. ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ A verified small entity statement.
17. ☒ Other items or information:  
Nucleotide and/or Amino Acid Sequence Submission (Computer Readable Copy and Paper Copy (2 pages))

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U.S. APPLICATION NO. Unassigned		INTERNATIONAL APPLICATION NO. PCT/EP98/07722		ATTORNEY'S DOCKET NO. 206579	
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18: <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ..... \$ 840.00 International preliminary examination fee paid to USPTO..... \$ 670.00 No international preliminary examination fee paid to USPTO, but international search fee paid to USPTO ..... \$ 690.00 Neither international preliminary examination fee nor international search fee paid to USPTO ..... \$ 970.00 International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1) to (4) ..... \$ 96.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT=</b>				\$840.00	
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	11 -20=	0	x \$ 18.00	\$0.00	
Independent Claims	1 - 3 =	0	x \$ 78.00	\$0.00	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)				+\$260.00	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS=</b>				\$840.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed.				\$0.00	
<b>SUBTOTAL=</b>				\$840.00	
Processing fee of <b>\$130.00</b> for furnishing English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date.				\$0.00	
<b>TOTAL NATIONAL FEE=</b>				\$840.00	
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. <b>\$40.00</b> per property				+	\$0.00
<b>TOTAL FEE ENCLOSED=</b>				\$840.00	
				Amount to be: refunded	\$
				charged:	\$

a. ☒ A check in the amount of \$840.00 to cover the above fee is enclosed.

b. ☐ Please charge Deposit Account No. 12-1216 in the amount of \$            to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

LEYDIG, VOIT & MAYER, LTD.  
 Two Prudential Plaza, Suite 4900  
 180 North Stetson  
 Chicago, Illinois 60601-6780  
 (312) 616-5600 (telephone)  
 (312) 616-5700 (facsimile)

Salim A. Hasan, Registration No. 38,175  
 One of the Attorneys for Applicant(s)

U.S. APPLICATION NO.  
Unassigned

INTERNATIONAL APPLICATION NO.  
PCT/EP98/07722

ATTORNEY'S DOCKET NO.  
206579

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

"Express Mail" Label Number: EL643537230US

Date of Deposit: September 13, 2000

I hereby certify that this express request to begin national examination procedures under 35 U.S.C. § 371(f) of the International Patent Application referenced above, including all of the items listed thereon as enclosures, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Box PCT, Assistant Commissioner for Patents, Attention: DO/EO/US, Washington, D.C. 20231.

Rick D. Madsen

Printed Name of Person Signing:

Rick D. Madsen

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kiesewetter et al.

Group Art Unit: Unassigned

Serial No. Unassigned

Examiner: Unassigned

Filed: September 13, 2000

For: METAL-CONTAINING RIBONUCLEOTIDE  
POLYPEPTIDES

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to the examination of the above-identified patent application, please enter the following amendments and consider the following remarks.

AMENDMENTS

Please amend the claims as follows:

4. (Amended) Antibody directed towards the ribonucleotide proteins according to [one of claims] claim 1 [to 3].

7. (Amended) Use of the ribonucleotide proteins according to [one of claims] claim 1 [to 3] and/or molecular-biological equivalent structures and/or fragments and/or derivatives for producing a medicament for specifically influencing angiogenesis.

Please add claims 8-11 as follows:

8. Antibody directed towards the ribonucleotide proteins according to claim 2.

9. Antibody directed towards the ribonucleotide proteins according to claim 3.

In re Appln. of Kiesewetter et al.  
Serial No. Unassigned

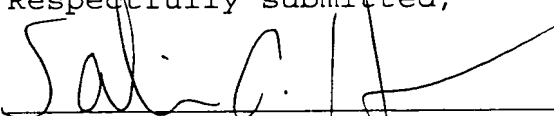
10. Use of the ribonucleotide proteins according to claim 2 and/or molecular-biological equivalent structures and/or fragments and/or derivatives for producing a medicament for specifically influencing angiogenesis.

11. Use of the ribonucleotide proteins according to claim 3 and/or molecular-biological equivalent structures and/or fragments and/or derivatives for producing a medicament for specifically influencing angiogenesis.

#### REMARKS

The claims have been amended in order to place the claims in a format more suitable to U.S. patent practice. No new matter has been added by way of these amendments. The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Salim A. Hasan, Reg. No. 38,175  
One of the Attorneys for Applicant(s)  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: September 13, 2000



THE PATENT AND TRADEMARK OFFICE IS REQUESTED TO PLACE ITS STAMP ON THIS POSTAL CARD AND PLACE IT IN THE OUTGOING MAIL TO THE FOLLOWING PAPERS HAVE BEEN RECEIVED.

ADE

Mailed September 13, 2000 via Express Mail EL643537230US  
206579- Pfenning  
SAH/rdm

In re Application of Kiesewetter et al., Filed September 13, 2000  
For: METAL-CONTAINING RIBONUCLEOTIDE POLYPEPTIDES  
U.S. Patent Application No. Unassigned

Enclosed: Transmittal Letter (3 pages in duplicate); Translation copy of International Application (31 pages of Specification, Claims, Abstract and Drawings); Copy of International Preliminary Examination Report (4 pages); Translation copy of Amendments (2 pages); Preliminary Amendment (2 pages); Nucleotide and/or Amino Acid Sequence Submission (Computer Readable Copy and Paper Copy (2 pages)); a check in the amount of \$840.00 for the National Phase Application Fee; and this return postcard.

532 Rec'd PCT/PTC 13 SEP 2000

09/646651